

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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DATE FILED: 4/3/2020

DANNY PHIPPS,

Plaintiff,

-against-

CITY OF NEW YORK, ET AL.,

Defendants.

17-CV-6603 (ALC)

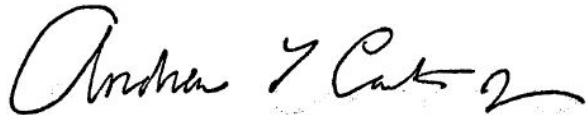
ORDER OF DISMISSAL

ANDREW L. CARTER, JR., United States District Judge:

On January 21, 2020, the Court ordered Plaintiff to show cause why this action should not be dismissed without prejudice for failure to prosecute. ECF No. 139. Plaintiff was ordered to make such a showing by February 7, 2020 and was advised that failure to make this showing “will result in a dismissal of this case without prejudice for failure to prosecute.” *Id.* To date, Plaintiff has not responded. Accordingly, this case is dismissed without prejudice for failure to prosecute pursuant to FED. R. CIV. P. 41(b). *See LeSane v. Hall’s Sec. Analyst, Inc.*, 239 F.3d 206, 209 (2d Cir. 2001) (“[I]t is unquestioned that Rule 41(b) also gives the district court authority to dismiss a plaintiff’s case sua sponte for failure to prosecute . . .”).

SO ORDERED.

**Dated: April 3, 2020
New York, New York**



**ANDREW L. CARTER, JR.
United States District Judge**